

No. 6889-3Lab-77/18456.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Sat Narain Metal Industries, Jagadhri :—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 24 of 1976

Between

SHRI MUKHTARA RAM WORKMAN AND THE MANAGEMENT OF M/S SHRI SAT NARAIN
METAL INDUSTRIES, JAGADHARI

AWARD

By order No. ID/AMB/441-B-76/9574, dated 10th March, 1976, the Governor of Haryana referred the following dispute between the management of M/s Shri Sat Narain Metal Industries, Jagadhari, and their workman Shri Mukhtara Ram to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Mukhtara Ram was justified and in order ? If not, to what relief is he entitled ?

The parties put in their appearance in this Court in response to the usual notices of reference sent to them and filed their pleadings.

Whereas the workman alleged that his services had been terminated by the management illegally with effect from 23rd December, 1975, and he was entitled to reinstatement with continuity of service and full back wages, the management pleaded,—*vide* written statement filed by them that the workman worked with them only for a few days as a casual piece rate worker and that he declined to accept a letter dated 4th December, 1975, sent to him asking him to resume his duties and he finally settled his accounts on 28th February, 1976, in full and final satisfaction of all his claims against them while receiving Rs 150 in cash in consideration thereof.

The workman reiterated the allegations made by him in the claim statement and controverted the pleas of the management,—*vide* rejoinder filed by him with the result that the following issues were framed by me,—*vide* my order dated 20th September, 1976 :—

- (1) Whether the concerned workman was employed on a casual basis and piece rated worker only for five days ?
- (2) Whether the termination of services of Shri Mukhtara Ram was justified and in order ? If not, to what relief is he entitled ?
- (3) Whether the workman settled all his accounts in full and final settlements of all his claims while receiving Rs 150 from the management ?

The workman absented himself in this Court on 26th May, 1977, the date of hearing fixed in the case despite being directed to appear on that date and pursue his case,—*vide* my order dated 27th April, 1977, with the result that *ex parte* proceedings were taken up against him on the former date and the management were directed to adduce their *ex parte* evidence on 28th June, 1977.

The management in *ex parte* evidence examined Shri Guru Divaya one of their partners who deposed that they never terminated the services of the workman and that he received Rs 150 in cash from them on 28th February, 1976,—*vide* Voucher copy Ex. M-1 in full and final settlement of all his claim against them with a specific averment that no other claim remained due to be satisfied.

I, see no reasons to disbelieve the statement of Shri Guru Divaya particularly when it is found corroborated by the documentary evidence consisting of the Voucher copy Ex. M-1 signed by the workman himself and the proceedings against him are *ex parte* and he took no care to pursue the demand leading to this reference.

I, thus relying on the statement of Shri Guru Divaya hold on issue No. 2 that the management never terminated the services of the workman and this is on the other hand a case of abandonment of the job by him voluntarily and that he received a sum of Rs 150 on 28th February, 1976 from them in full and final satisfaction of all his claim including the demand of re-instatement leading to this

reference. I, thus decide issue Nos. 2 and 3 accordingly and answer the reference while returning the award in these terms.

MOHAN LAL JAIN,

The 30th June, 1977

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1367, dated the 2nd July, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 6890-3Lab-77/18458.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Shri Sat Narain Metal Industries, Jagadhri.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 23 of 1976

between

SHRI JARNAL, WORKMAN AND THE MANAGEMENT OF M/S SHRI SAT NARAIN
METAL INDUSTRIES, JAGADHRI

AWARD

By order No.ID/AME/441-B-76/9580, dated 10th March, 1976 the Governor of Haryana, referred the following dispute between the management of M/s Shri Sat Narain Metal Industries, Jagadhri, and its workman Shri Jarnal, to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Jarnal was justified and in order ? If not, to what relief is he entitled ?

The parties put in their appearance in this Court in response to the usual notices of reference served on them.

Whereas the workman adopted the notice of demand served by him on the management concerned with the allegation that his services had been terminated illegally by them with effect from 23rd December, 1975 and he was entitled to reinstatement with full back wages and continuity of service, as his claim statement, the management pleaded,—*vide* written statement filed by them that he abandoned his job voluntarily of his own accord and joined services of some other concern and he did not report for duty to them despite having sent a letter dated 4th December, 1976 to him,—*vide* registered post, asking him to do so and that he was their employee only on casual piece rate basis.

The workman reiterated the allegations made by him in the claim statement and controverted the pleas of the management,—*vide* rejoinder filed by him with the result that the following issues were framed by me,—*vide* my order dated 20th October, 1976.—

1. Whether the concerned workman was employed as a casual basis rated worker only for five day ?
2. Whether the termination of services of Shri Jarnal was justified and in order ? If not, to what relief is he entitled ?
3. Whether the workman remained gainfully employed with some other employer ? If yes, with what wages and details.

The workman did not appear in this Court on 26-5-1977 the date of hearing fixed in the case despite being directed to put in his appearance on that date and pursue his case,—*vide* my order, dated

27th April, 1977 with the result that *ex parte* proceedings were taken up against him and the management was directed to adduce their *ex parte* evidence on 22nd June, 1977. The management examined Shri Guru Divaya one of their partner who deposed that the management never terminated the services of the workman and that he having worked with them only for 10, 15 days on casual basis, absented himself from duty with effect from 22nd December, 1975 and did not come thereafter.

I see no reasons to disbelieve the statement of Shri Guru Divaya particularly when it was made with reference to the register of attendance brought by him and the proceedings against the workman are *ex parte* and he took no care to pursue the demand leading to this reference.

I, thus while relying on the statement of Shri Guru Divaya hold on issue No. 2 that the management did not terminate the service of the workman and that this is on the other hand a case of abandonment of his job by the later voluntarily and he is not entitled to any relief.

I, accordingly answer the reference while returning the award in these terms.

Dated 30th June, 1977.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1366, dated the 2nd July, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

P. P. CAPRIHAN,
Financial Commissioner & Secy.

PUBLIC WORKS DEPARTMENT
IRRIGATION BRANCH HARYANA

The 12th July, 1977

No. 209/Drainage/Kaithal.—Whereas the Governor of Haryana is satisfied that land specified below, is needed by the Government, at public expense, for a public purpose, namely, for the constructing of retired embankment opposite village Ram Nagar from R.D. 0-3415 with shank portion and the Tie bund in village Ram Nagar, Tehsil Thanesar, District, Kurukshetra.

It is hereby declared that the land described in the specification below is required for the aforesaid purpose.

This declaration is made under the provision of section 6 of the Land Acquisition Act, 1894, to all whom it may concern under the provision of section 7 of the said Act, the Land Acquisition Officer, Public Works Department Irrigation Branch, Ambala City is hereby directed to take order for the acquisition of the said land.

Plans of the land may be inspected in the Offices of the Land Acquisition Officer, Public Works, Department, Irrigation Branch, Ambala City and the Executive Engineer, Drainage Division, Kaithal.

SPECIFICATION

Sr. No.	District	Tehsil	Village	Area in acres	Khasra Number
(1)	Kurukshetra	Thanesar	Ram Nagar	3.07	<p>A strip of Land 3415' length with varying width lying generally in the direction of South-West to South-East as marked on the index plan lying in field Nos. 332, 332, 331, 329, 328, 327, 322, 321, 320, 72, 73, 75, 74, 240, 219, 239, 218, 220, 222, 237, 236, 246, 247, 249, 250, 290, 291.</p>

By Order of the Governor of Haryana,

(Sd.)
Superintending Engineer,
Drainage Circle, Karnal.